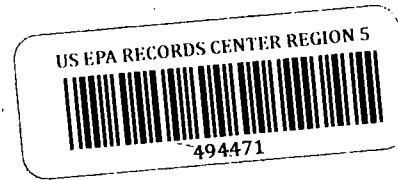


VAN RHEENEN
& ASSOCIATES, P.C.

E.L.
10/20/97

October 20, 1997

VIA FACSIMILE TO: (312) 353-9306
& UNITED STATES MAIL



William E. Muno
Division Director, Superfund Division
US EPA Region V
77 West Jackson Boulevard
Chicago, Illinois 60604

Re: U.S. v. Accra Pac and Estate of Warner Baker
Cause No: H89-0113

Dear Mr. Muno:

On July 21, 1997, Accra Pac initiated formal dispute resolution procedures by serving the United States with its written Statement of Position pursuant to paragraph 53.a. of the Consent Decree. Sherry Estes, counsel for EPA, responded pursuant to paragraph 53.b. of the Consent Decree with EPA's Statement of Position on August 26, 1997. Pursuant to paragraph 54.b. of the Consent Decree, you are to issue a final administrative decision on the dispute. The purpose of this letter is to request that you notify the parties within a week as to when a ruling will be forthcoming.

As noted in Accra Pac's Statement of Position, the nature of the dispute is such that EPA essentially wins so long as no decision is rendered. In view of the fact that EPA has no incentive to rule promptly, Accra Pac asks that you indicate within the next week when a decision can be expected. If Accra Pac receives no response or receives a response indicating that a decision is not promptly forthcoming, then Accra Pac must be prepared to petition the District Court to review the matter. To act otherwise would be to allow EPA to prevail without any decision on the merits.

I look forward to hearing from you.

Very truly yours,

Richard S. VanRheenen
cc: Sherry Estes, Esq. (via facsimile & United States mail)